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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: June 15, 2006 Name: Tadashi Horie Signature: Tadashi Horie

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Motosharu Miyake et al.

Appln. No.: 10/807,505

Filed: March 23, 2004

For: COMMUNICATION DEVICE,
TRANSMISSION CONTROL METHOD,
AND PROGRAM PRODUCT

Examiner: To Be Assigned

Art Unit: 2661

Attorney Docket No: 9683/173

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ A Transmittal Letter (in duplicate); Supplemental Information Disclosure Statement; Form PTO-1449; 2 References (B1-B2)
☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

6/15/2006

Tadashi Horie
Tadashi Horie (Reg. No. 40,437)



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following references:

FOREIGN PATENT DOCUMENT

No.	Date of Publication	Patentee/Applicant/Assignee
WO 01/97438	Dec. 20, 2001	WIPO

OTHER ART

Chinese Office Action dated April 21, 2006

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Reference B1 is cited in an Office Action issued in the counterpart Chinese application. The Chinese Office Action is being disclosed in this Statement as Reference B2. As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above references and entry thereof into the record of this application.


By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

June 15, 2006

Date


Tadashi Horie (Reg. No. 40,437)



FORM PTO-1449	SERIAL NO. 10/807,505	CASE NO. 9683/173
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 23, 2004	GROUP ART UNIT 2661
(use several sheets if necessary)		APPLICANT(S): Motoharu Miyake et al.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	B1	WO 01/97438	Dec. 20, 2001	WIPO	

EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	B2	Chinese Office Action dated April 21, 2006

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.